

5/003/025

Lynn Springs 'LMO' Permitting Chronology
S(M)/003/025
(last revised 3/13/96)

- September 25, 1994 Site inspection identified 4.4 acres of current disturbance (this did not include 1.5 miles of access road that at the time was thought to be a forest service road - the Forest Service expects this to be reclaimed).
- January 30, 1995 Annual report reports expansion of quarry to the north. Conversations with U.S. Forest Service indicated expansion beyond 5 acres (estimated)
- March 1, 1995 POO (dated February 21, 1995) submitted to Forest Service indicated only 4 acres disturbed and that they would reclaim a portion prior to any expansion to maintain less than 5 acres of disturbance at any one time.
- April 25, 1995 Site inspection confirmed expansion to include an additional 1.35 acres to a total of 5.75 acres (does not include the 1.5 miles of access road).
- May 5, 1995 Bown's notified by certified mail that the 5-acre limit was exceeded. To options were given to remedy the situation "First, reclaim a portion of the disturbed area to reduce the acreage below the five-acre threshold; or secondly, submit a notice to conduct large mining operations". A LMO form was included.
- June 21, 1995 Review document from Forest Service requested time frame for reclaiming a portion of the disturbance to reduce acreage below 5 acres.
- June 21, 1995 Meeting with the Bown's to discuss why LMO was not submitted by the June 20th deadline (see May 5 letter). They indicated at that time that they would reclaim approximately 1 acre and that equipment was on site to do the reclamation work. Deadlines were established to have the regrading work done by August 31, 1995 and to reseed by October 31, 1995 (See Sept. 25, 1995 Memo).
- July 20, 1995 Meeting with Bown's in DOGM Office. Deadlines for reclamation reiterated and Bown's assured DOGM Staff that work would be done.
- September 6, 1995 Site inspection - reclamation work not done. Equipment had been removed from site.
- November 6, 1995 Notice of Non-Compliance issued. Mitigation required immediate reclamation of the mine site to reduce surface disturbance to less than 5 acres by November 20, 1995 or submit a Notice to conduct large mining operations by November 27, 1995. If site is not reclaimed, an interim reclamation surety of \$17,500 is required.
- November 27, 1995 Bown's faxed the Division a letter requesting a 2-week extension to submit LMO. Extension to December 11, 1995 approved.
- December 11, 1995 Bown's submitted Notice of Intention to commence Large Mining Operations (hand Delivered). At this time they indicated they had found a surety company and our surety forms were given to them.
- December 14, 1995 In letter to Forest Service, Bown's contest in excess of 5 acres of disturbance (for first time) and stated that they would like to conduct a surface disturbance survey with an independent consultant. They further indicated that they felt all parties involved should be present. The Forest Service response to this letter (January 11, 1996) was, "Several times during 1994 and 1995 you told Dan Washington, Lynn Kunzler and/or me (Gordon Struthers, USFS) that you would reclaim a portion of the quarry to a maximum size of 5 acres. This did not happen, rather new areas in the quarry were opened."

- December 20, 1995 The Division sent (by certified mail) a letter regarding the status of non-compliance. This letter established a February 26, 1996 deadline for submitting the interim reclamation surety.
- February 26, 1996 DOGM calls operator to inquiry if interim surety will be received today. DOGM leaves voice-mail message to return our call. Additional calls were made and voice-mail messages left on February 27th and 28th. On March 1st, at approximately 8:00 am a voice-mail message was left that if we did not hear from them by the end of the day, we would need to start enforcement proceedings.
- March 1, 1996 (Afternoon) DOGM receives call from William Bown. Mr. Bown states he located a bank that will issue him an ILOC. Asks for extension to submit ILOC until next week. Deadline to submit interim bond was verbally extended to March 6, 1996. (E-mail message documenting phone call sent to mine file)
- March 5, 1996 DOGM receives call from William Bown explaining extenuating circumstances that will not allow him to provide us with a draft ILOC by the March 6th deadline. Verbal extension to March 13, 1996 granted. Formal letter to follow.
- March 6, 1996 DOGM letter sent to William Bown formally extending the March 6, 1996 deadline for submitting the interim bond to March 13, 1996. This letter also reduced the amount of the interim bond to \$11,500, based upon reclamation estimate provided by the Forest Service.
- March 11, 1996 DOGM receives letters (dated March 7th & 8th respectively) from Bill and Preston Bown to the USFS and DOGM. The letters indicate that they no longer wish to pursue acquisition of a large mining permit. The operator's plans for the immediate future of this quarry, are to begin a reclamation process to reduce the overall disturbed acreage to 5 or less acres.
- March 12, 1996 DOGM receives telefaxed copy of USFS latest response letter to Mr. Bown's March 7th letter which had requested USFS to discontinue processing of the large mine plan of operations. This letter requested a new POO be submitted to the Forest Service showing the reduced size of the operation. The Forest Service states that their process for permitting a small vs. large operation is about the same. A site inspection will need to be done to determine where reclamation will be done to reduce acreage below 5 acres. The Draft EA will need to be revised after the site inspection and receipt of the revised POO, which will delay the EA completion into late summer. The Forest Service will require bonding regardless of the size of the operation.
- March 13, 1996 DOGM deadline for receipt of draft ILOC (interim bond) passes with no additional contact from mine operator or West One Bank.

environmental assessment

Current Disturbed acreage is 5.75 acres at the quarry (this includes pit areas, work area and interconnecting roads) plus 1.5 miles of access road (assume average width of 12 feet for 2.18 acres) for a total of 7.93 acres disturbed.